

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA
ex rel. CATHLEEN L. ARONE,

Plaintiff,

v.

ASSET MANAGEMENT SPECIALISTS, INC.,

Defendant.

FILED
CLERK'S OFFICE
2013 MAR 29 P 1:34
U.S. DISTRICT COURT
DISTRICT OF MASSACHUSETTS
C.A. No. 11-11857-WGY

FILED UNDER SEAL

**UNITED STATES' NOTICE OF ELECTION TO
DECLINE INTERVENTION**

Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B), the United States notifies the Court of its decision not to intervene in this action.

Although the United States declines to intervene, we respectfully refer the Court to 31 U.S.C. § 3730(b)(1), which allows the relator to maintain the action in the name of the United States. Section 3730(b)(1) also provides that the "action may be dismissed only if the court and the Attorney General give written consent to the dismissal and their reasons for consenting." *Id.* Therefore, the United States requests that, should either the relator or the defendant propose that this action be dismissed, settled, or otherwise discontinued, this Court solicit the written consent of the United States before ruling or granting its approval.

Furthermore, pursuant to 31 U.S.C. § 3730(c)(3), the United States requests that all pleadings filed in this action be served upon the United States. The United States also requests that orders issued by the Court be sent to the Government's counsel. The United States reserves its right to order any deposition transcripts; to move for leave to intervene in this action for good

cause at a later date; and to seek the dismissal of the relator's action or claim.

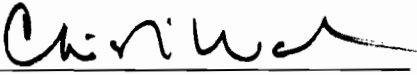
The United States also requests that it be served with all notices of appeal.

Finally, the Government requests that the relator's Complaint, this Notice, and the attached proposed Order be unsealed. The United States requests that all other papers on file in this action remain under seal because, in discussing the content and extent of the United States' investigation, such papers are provided by law to the Court alone for the sole purpose of evaluating whether the seal and time for making an election to intervene should be extended.

A proposed order accompanies this notice.

Respectfully submitted,

CARMEN M. ORTIZ
United States Attorney

By: 
Christine J. Wichers
Assistant U.S. Attorney
One Courthouse Way, Suite 9200
Boston, MA 02210
(617) 748-3278
christine.wichers@usdoj.gov

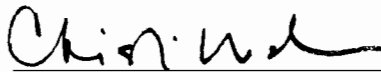
Dated: March 29, 2013

Certificate of Service

I hereby certify that this document was emailed on March 29, 2013 to the following counsel for the relator:

Alan D. Rose, Jr.
Rose, Chinitz & Rose
One Beacon St., 4th Floor
Boston, MA 02108
adrjr@rose-law.net

Pursuant to 31 U.S.C. § 3730(b)(2), no service was made upon the defendant because this case is still under seal.



Christine J. Wichers
Assistant U.S. Attorney